

By: Representatives Davis, Frierson

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 8

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION  
2 213-A, MISSISSIPPI CONSTITUTION OF 1890, TO RECONSTITUTE THE  
3 MEMBERSHIP OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF  
4 HIGHER LEARNING BY PROVIDING THAT AFTER JANUARY 1, 2003, MEMBERS  
5 SHALL BE APPOINTED FOR EIGHT-YEAR TERMS FROM CONGRESSIONAL  
6 DISTRICTS AS THE DISTRICTS EXIST AFTER EACH FEDERAL DECENNIAL  
7 CENSUS, AND TO REQUIRE THE BOARD TO INCLUDE ALUMNI REPRESENTATION  
8 OF EACH STATE INSTITUTION OF HIGHER LEARNING; AND FOR RELATED  
9 PURPOSES.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF  
11 MISSISSIPPI, That the following amendment to the Mississippi  
12 Constitution of 1890 is proposed to the qualified electors of the  
13 state:

14 Amend Section 213-A, Mississippi Constitution of 1890, to  
15 read as follows:

16 "Section 213-A. The state institutions of higher  
17 learning \* \* \* in Mississippi \* \* \* (University of Mississippi,  
18 Mississippi State University of Agriculture and Applied Science,  
19 Mississippi University for Women, University of Southern  
20 Mississippi, Delta State University, Alcorn State University,  
21 Jackson State University, Mississippi Valley State University, and  
22 any others \* \* \* which may be \* \* \* organized or established by  
23 the State of Mississippi) shall be under the management and  
24 control of a board of trustees to be known as the Board of  
25 Trustees of State Institutions of Higher Learning. \* \* \* The  
26 Governor shall appoint the members of the board with the advice  
27 and consent of the Senate. The Governor shall appoint only  
28 individuals who are qualified electors residing in the district  
29 from which each is appointed, \* \* \* at least twenty-five (25)  
30 years of age, and of the highest order of intelligence, character,



31 learning, and fitness for the performance of their duties, to the  
32 end that the board shall perform its high and honorable  
33 duties \* \* \* to the greatest advantage of the people of the state  
34 and the educational institutions, uninfluenced by any political  
35 considerations. At all times, the board membership must include:  
36 two (2) persons from different congressional districts who have  
37 been awarded a baccalaureate degree by the University of  
38 Mississippi; two (2) persons from different congressional  
39 districts who have been awarded a baccalaureate degree by  
40 Mississippi State University of Agriculture and Applied Science;  
41 two (2) persons from different congressional districts who have  
42 been awarded a baccalaureate degree by the University of Southern  
43 Mississippi; two (2) persons from different congressional  
44 districts who have been awarded a baccalaureate degree by Jackson  
45 State University; one (1) person who has been awarded a  
46 baccalaureate degree by Mississippi University for Women; one (1)  
47 person who has been awarded a baccalaureate degree by Delta State  
48 University; one (1) person who has been awarded a baccalaureate  
49 degree by Alcorn State University; and one (1) person who has been  
50 awarded a baccalaureate degree by Mississippi Valley State  
51 University. There shall be appointed three (3) members of such  
52 board from each congressional district of the state as those  
53 districts are constituted following the most recent federal  
54 decennial census, beginning with the 2000 federal decennial  
55 census. The term of office of the trustees \* \* \* provided for in  
56 this section shall begin on the first Monday of May; and it shall  
57 be the duty of the Governor to make such appointments during the  
58 regular session of the Legislature of Mississippi immediately  
59 preceding the beginning of their terms of office. Members of the  
60 board whose terms begin on the first Monday of May 2003 shall be  
61 appointed according to the following: one (1) member from each  
62 congressional district shall be appointed for a term of four (4)  
63 years; one (1) member from each congressional district shall be



64 appointed for a term of six (6) years; and one (1) member from  
65 each congressional district shall be appointed for a term of eight  
66 (8) years. Upon the expiration of the terms of office of these  
67 members, their successors shall hold office for a period of eight  
68 (8) years. The appointments shall be made so that the members  
69 whose terms expire in the same year are alumni of different  
70 institutions of higher learning. The members of the board of  
71 trustees as constituted at the time the amendment proposed to this  
72 section by House Concurrent Resolution No. , 2002 Regular  
73 Session, is ratified by the electorate and inserted in the  
74 Constitution \* \* \* shall continue to hold office until the members  
75 of the board, as reconstituted pursuant to the amendment proposed  
76 to this section by House Concurrent Resolution No. , 2002  
77 Regular Session, are appointed and take office. The Governor may  
78 reappoint any member of the board holding office at the time the  
79 amendment proposed to this section by House Concurrent Resolution  
80 No. , 2002 Regular Session, is ratified by the electorate and  
81 inserted in the Constitution if the member resides within the  
82 congressional district from which he is being appointed as such  
83 district exists following the 2000 federal decennial census. In  
84 case of a vacancy on the board by death or resignation of a  
85 member, or for any \* \* \* cause other than the expiration of such  
86 member's term of office, the board shall elect his successor, who  
87 shall hold office until the end of the next session of the  
88 Legislature. During such \* \* \* session of the Legislature, the  
89 Governor shall appoint the successor member of the board from the  
90 district from which his predecessor was appointed, to hold office  
91 until the end of the period for which such original trustee was  
92 appointed \* \* \*.

93 The Legislature shall provide by law for the appointment of a  
94 trustee for the La Bauve Fund at the University of Mississippi and  
95 for the perpetuation of such fund.



96           Such board shall have the power and authority to elect the  
97 heads of the various institutions of higher learning, and contract  
98 with all deans, professors and other members of the teaching  
99 staff, and all administrative employees of the institutions for a  
100 term not exceeding four (4) years; but the board shall have the  
101 power and authority to terminate any such contract at any time for  
102 malfeasance, inefficiency or contumacious conduct, but never for  
103 political reasons.

104           Nothing in this section shall in any way limit or take away  
105 the power the Legislature had and possessed, if any, at the time  
106 of the adoption of this amendment, to consolidate, abolish or  
107 change the status of any of the above named institutions."

108           BE IT FURTHER RESOLVED, That this proposed amendment shall be  
109 submitted by the Secretary of State to the qualified electors at  
110 an election to be held on the first Tuesday after the first Monday  
111 of November 2002, as provided by Section 273 of the Constitution  
112 and by general law.

113           BE IT FURTHER RESOLVED, That the explanation of this proposed  
114 amendment for the ballot shall read as follows: "This proposed  
115 constitutional amendment provides that beginning in 2003, members  
116 of the Board of Trustees of State Institutions of Higher Learning  
117 shall be appointed from congressional districts as the districts  
118 are drawn following the most recent federal decennial census. The  
119 amendment also changes the board members' terms of office from  
120 twelve (12) years to eight (8) years and requires the board to  
121 include representation from each state institution of higher  
122 learning."

